

*Final Report:*  
*Current Status of Pro Bono Service  
Among Maryland Lawyers, Year 2003*

OCTOBER 13, 2004

*PREPARED BY:*  
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## *PREFACE AND ACKNOWLEDGEMENTS*

This report was prepared by Anasys, Inc. on behalf of the Administrative Office of the Courts (AOC) in fulfillment of requirements outlined in Maryland Rule 16-903. That Rule requires all lawyers authorized to practice law in the State of Maryland to file annually with the Administrative Office of the Courts a report reflecting the amount and type of pro bono services they provided during the prior calendar year. This is the second year this reporting process has been implemented.

The data reflects only modest changes in the level of pro bono service provided by Maryland lawyers in this second year for which reporting was required. As local pro bono committees, established in each jurisdiction pursuant to Maryland Rule 16-902, finalize and begin to implement their local pro bono plans, we hope to see an increase in the level of pro bono participation by the bar.

The AOC is grateful for the assistance of the many organizations and individuals who assisted in this pro bono reporting cycle. Their collaboration assisted the AOC in encouraging attorney compliance with the rule, to ensure that this report would be as complete and accurate as possible.

Anasys, Inc. is to be acknowledged for their continuing professionalism and timeliness in completing this project, and for their willingness to respond to requests for modifications in the process.

The Administrative Office of the Courts also contracted with the Pro Bono Resource Center of Maryland to assist the Judiciary in implementing the pro bono rules. Sharon Goldsmith, Executive Director, and her staff continued to assist the AOC in designing the mailing packets that were distributed to attorneys, in designing web pages, in staffing a call center to answer questions about the process, in making follow-up telephone calls to attorneys to improve our response rate and by assisting in other ways.

The Standing Committee on Pro Bono Legal Services, chaired by Ward B. Coe, III, Esq., has continued to provide guidance on the reporting process and what constitutes pro bono.

The Client Protection Fund provided access to their database of Maryland lawyers and important contact information.

The Maryland Legal Services Corporation collaborated with the AOC in planning a joint filing process for pro bono and IOLTA reporting. Their assistance in preparing attorney data files and in planning for the reporting process helped make that process a success.

Frank Broccolina  
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## EXECUTIVE SUMMARY

With the adoption of Maryland Rule 16-903, the Court of Appeals of Maryland required all licensed Maryland attorneys to report annually on their pro bono activities. This summary report presents results from the data collected from the Pro Bono Service Report in Year 2003. Below are the major findings from their reporting.

- A higher proportion of lawyers with offices in Maryland provided pro bono services in 2003 than in 2002.
- Among full-time lawyers with business addresses in Maryland, 63.7% reported engaging in some pro bono activity.
- Among all 31,153 lawyers who were covered in this report for Year 2003, 47.4 percent (14,776 lawyers) reported some pro bono activity - a slight decrease of 0.4 percent from Year 2002. The slight decrease in pro bono service among all reporting lawyers is due to the significant percentage of lawyers who moved out of Maryland in 2003 and went to other states, many of whom appear to have entered government service, as well as a decrease in the service of part-time lawyers and first time pro bono report filers.
- The total number of pro bono hours rendered in 2003 was 1,031,216 hours among 31,153 Maryland lawyers - a 3.6 percent increase from Year 2002.
- Among lawyers who filed the pro bono report for both 2002 and 2003, 48.9 percent reported greater than '0' pro bono hours and the pro bono hours increased by 24,992 hours overall.
- Among those who filed both years and reported to be a full time lawyer, 58.9 percent reported greater than '0' pro bono hours and the pro bono hours increased by 36,283 hours. However, among those who reported to be a part time lawyer, the pro bono hours decreased by 11,291 hours.
- Higher proportions of lawyers in two rural areas of Maryland – the Eastern and Western Regions – rendered pro bono services compared with lawyers in other more metropolitan regions.
- The Eastern Region also reported the highest percentage of lawyers with 50 or more pro bono hours among full time and part time lawyers, followed by the Western Region.
- Garrett County ranked first in Year 2003 with 47.4 percent of full time lawyers with 50 or more pro bono hours, followed by Caroline (47.1 percent), Queen Anne (45.5 percent), Cecil (39.6 percent), Kent (39.3 percent), and Worcester (39.3 percent) counties.
- Dorchester County ranked the lowest with only 15.0 percent of full time lawyers with 50 or more pro bono hours, followed by Howard County (20.3 percent), Baltimore City

(21.1 percent), St. Mary's (23.6 percent), Anne Arundel County (23.6 percent), Baltimore County (23.7 percent), Prince George's (24.6 percent), and Montgomery County (25.1 percent).

- In terms of full time lawyers with 50 or more pro bono hours, counties in the Capital and Central Regions consistently exhibited better results than last year, with the exception of Baltimore City.
- The Family/Domestic practice area was the top pro bono service area while it was the seventh ranked primary practice area.
- The total hours spent by lawyers participating in activities for improving the law, the legal system, or the legal profession was 402,018 hours.
- The total financial contribution to organizations that provide legal services to people of limited means was \$ 3,812,263.
- Lawyers who reported that their primary practice area is family law tended to provide more pro bono service.
- Among those who filed for both years, 17.8 percent of full time lawyers in the Southern Region increased their pro bono hours from 2002, followed by 14.8 percent of lawyers in the Western Region, 7.3 percent of lawyers in the Capital Region, and 6.4 percent of lawyers in the Central Region.
- Lawyers with no pro bono activity tended to be young and practice in such areas as Government, Other, Criminal, and Intellectual Property.
- Lawyers who are prohibited from providing pro bono service, as well as those who are retired or work part time rendered significantly fewer pro bono hours.
- Lawyers who dedicated hours to participating in activities for improving the law and who offered financial contributions to organizations that provide legal services to people of limited means rendered significantly more pro bono hours.

## I. INTRODUCTION

Pursuant to Rule 16-903, annual filing of the Pro Bono Legal Service Report is mandatory for all lawyers certified to practice in the State of Maryland. The Maryland Administrative Office of the Courts is responsible for managing the reporting process and reporting the results to the Court of Appeals. The Maryland Administrative Office of the Courts engaged ANASYS, Inc. (ANASYS) to assist them in managing the reporting process and in compiling and analyzing the data. The first summary of reports was prepared and submitted for Calendar Year 2002. This report summarizes the results from the second year for which pro bono reporting was required, Calendar Year 2003.

For Year 2003, four mailings were sent out to licensed Maryland attorneys.

- First round: An initial mailing was sent out on December 26, 2003 to all lawyers who were on the active lawyers' list as maintained by the Maryland Client Protection Fund (CPF).
- Second round: A mailing was sent out on March 24, 2004 to 6,112 lawyers who had not filed their pro bono report by March 15, 2004.
- Third round: A 'Notice of Failure to File' was sent out on May 14, 2004 to 2,181 lawyers who had not filed their pro bono report by May 1, 2004, and
- Fourth round: A 'Decertification Order' signed by the Court of Appeals was sent out on September 9, 2004 decertifying 316 lawyers who had failed to file the report by that date.

ANASYS set up and maintained a web-based online reporting system throughout the reporting period, using individualized identification numbers for each lawyer. The overall percentage of online filing was 48.3 percent (26.4 percent, last year) and the remaining 51.7 percent filed the pro bono report through the mail. The increased use of online filing this year was the result of using an improved web-based online reporting system and an aggressive promotion of the value and convenience of the online filing.

This report covers the 31,153 pro bono reports received by August 16, 2003, representing 99 percent of all Maryland lawyers. It excludes data from those attorneys who were determined to be inactive lawyers (law clerks, deceased, etc.), and lawyers in the military.<sup>1</sup>

The purposes of this summary report are:

1. to identify and evaluate the status of pro bono service engaged in by Maryland lawyers;
2. to assess whether a target goal of 50 hours of pro bono service for lawyers in the full time practice of law was achieved;

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<sup>1</sup> The pro bono reports of late filers were filed as a separate file.

3. to determine the level of financial contribution to legal services organizations by Maryland attorneys; and
4. to identify the areas that need to be improved.

## II. GENERAL CHARACTERISTICS OF MARYLAND LAWYERS

This section presents an overall picture of Maryland lawyers' practices by providing descriptive statistics on practice questions from the pro bono report data.

### II.1. Geographical Location

The table below shows the distribution of the 31,153 lawyers by their business address as reported in the Pro Bono Legal Service Report for Year 2003.

*Table 1. Location of Lawyers*

	2003		2002	
	Number	Percent	Number	Percent
Maryland	18,491	59.4%	19,098	63.6%
Washington DC	7,438	23.9%	5,798	19.3%
Virginia	1,952	6.3%	2,117	7.1%
Other States	3,137	10.1%	2,896	9.6%
Foreign	89	0.3%	93	0.3%
Unknown	46	0.1%	22	0.1%
	31,153	100.0%	30,024	100.0%

About 41 percent of lawyers who are certified to practice in Maryland reported a business address other than Maryland, as compared to 36 percent reported last year. The magnitude of decrease in number of lawyers in the State of Maryland is notable, a decrease of 4.2 percent from 63.6 percent in 2002 to 59.4 percent in 2003. In fact, a further analysis revealed that many lawyers moved out of the state of Maryland. Linking 2002 data with 2003 data<sup>2</sup>, we found that about 10 percent<sup>3</sup> of the lawyers in Maryland in Year 2002 moved out of the state of Maryland in Year 2003 (1,293 from Maryland to Washington DC, 216 to Virginia, 268 to other states or overseas). In comparison, among 10,342 in other states in 2002, 580 lawyers who reported to have an address in states other than Maryland, reported to be in Maryland in Year 2003. Accordingly, the net flow of lawyers is 1,197 lawyers out of Maryland.<sup>4</sup>

In addition to the business address information, the pro bono report included a question about lawyers' jurisdiction. About 57 percent of lawyers (17,671) indicated they practiced in a jurisdiction in the state of Maryland. About a third (10,898 lawyers: 34.9 percent) reported out of state jurisdictions, and about 8.3 percent (2,584 lawyers) did not answer the question. Among those who reported practicing in a Maryland jurisdiction, 6,078 lawyers reported 'All of Maryland' as their jurisdiction as opposed to providing county level information. The following table shows the reported jurisdictions by county among 11,593 lawyers who provided specific

<sup>2</sup> The number of lawyers who reported in both Year 2002 and 2003 is 28,943.

<sup>3</sup> Among 18,581 lawyers who reported to have a business address in MD in 2002, 1,777 (9.6 percent) reported address in other states in 2003.

<sup>4</sup> Note that this net flow is not reflected in Table 1, where it shows the net decrease of 607 in the State of Maryland. This is due to the fact that 2,210 reporting lawyers in Year 2003 were not included in the 2002 data.

county jurisdiction information and comparable information from Year 2002. The table shows a substantial decrease in Baltimore City (from 31.5 percent to 27.8 percent) and higher proportions of lawyers providing their services in Montgomery, Baltimore, Prince George's, and Howard Counties.

*Table 2. First choice Jurisdiction*

County Name	Year 2003		Year 2002	
	Number	Percent	Number	Percent
Baltimore City	3,224	27.8%	3,023	31.5%
Montgomery County	2,666	23.0%	1,918	20.0%
Baltimore County	1,537	13.3%	1,212	12.6%
Prince George's County	1,168	10.1%	924	9.6%
Anne Arundel County	896	7.7%	747	7.8%
Howard County	504	4.3%	380	4.0%
Harford County	268	2.3%	235	2.5%
Frederick County	245	2.1%	200	2.1%
Carroll County	170	1.5%	148	1.5%
Wicomico County	112	1.0%	112	1.2%
Charles County	100	0.9%	81	0.8%
Washington County	98	0.8%	88	0.9%
Calvert County	79	0.7%	63	0.7%
Saint Mary's County	75	0.6%	57	0.6%
Allegany County	69	0.6%	71	0.7%
Talbot County	66	0.6%	58	0.6%
Worcester County	66	0.6%	64	0.7%
Cecil County	65	0.6%	60	0.6%
Queen Anne's County	51	0.4%	39	0.4%
Caroline County	33	0.3%	26	0.3%
Kent County	30	0.3%	22	0.2%
Dorchester County	27	0.2%	21	0.2%
Garrett County	24	0.2%	20	0.2%
Somerset County	20	0.2%	16	0.2%
Total	11,593	100.0%	9,585	99.9%

Table 2 indicates that 92.1 percent (0.5 percentage increase from 2002) of all lawyers with county level jurisdiction information reported counties in the Central and Capital Regions<sup>5</sup> as their primary jurisdiction.<sup>6</sup>

<sup>5</sup> Central Region: Baltimore city, Anne Arundel, Baltimore, Carroll, Howard, and Harford County

Capital Region: Frederick, Montgomery, and Prince George's County

Western Region: Allegany, Garrett, and Washington County

Eastern Region: Cecil, Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester County

Southern Region: Calvert, Charles, and St. Mary's County

<sup>6</sup> For further details of key statistics of the Maryland counties, see Table 4. Lawyers per Population, Capita, Persons Below Poverty by County in the Year 2002 report.

When a lawyer reported more than one county as their jurisdiction, we included up to five counties in the data file.<sup>7</sup> Accordingly, the table below shows the first choice jurisdiction as well as all the jurisdictions marked by respondents regardless of their order of choice (1<sup>st</sup>, 2<sup>nd</sup> --- 5<sup>th</sup>) for lawyers who reported specific Maryland county information. Notably, we do not see the substantial decrease of the lawyers in Baltimore City as reported in Table 2.

*Table 3. All Selected Jurisdictions*

County Name	Year 2003		Year 2002	
	Number	Percent	Number	Percent
Baltimore City	3,997	21.7%	3,614	21.90%
Montgomery County	3,444	18.7%	2,659	16.10%
Baltimore County	3,085	16.7%	2,938	17.80%
Prince George's County	2,193	11.9%	1,938	11.80%
Anne Arundel County	1,613	8.7%	1,419	8.60%
Howard County	986	5.3%	938	5.70%
Harford County	513	2.8%	574	3.50%
Frederick County	409	2.2%	361	2.20%
Carroll County	373	2.0%	317	1.90%
Charles County	262	1.4%	223	1.40%
Allegany County	195	1.1%	101	0.60%
Calvert County	192	1.0%	160	1.00%
Washington County	163	0.9%	150	0.90%
Wicomico County	155	0.8%	160	1.00%
Saint Mary's County	146	0.8%	122	0.70%
Worcester County	142	0.8%	150	0.90%
Cecil County	132	0.7%	123	0.70%
Talbot County	125	0.7%	103	0.60%
Queen Anne's County	119	0.6%	98	0.60%
Caroline County	84	0.5%	63	0.40%
Kent County	63	0.3%	56	0.30%
Garrett County	52	0.3%	54	0.30%
Dorchester County	0	0.0%	70	0.40%
Somerset County	0	0.0%	85	0.50%
	18,443	100.0%	16,476	100.00%

As was the case in last year's report, for the remaining sections of this report, business addresses of the lawyers are used to identify geographical location of lawyers rather than jurisdiction. Region level data are presented to account for pro bono activities across the county line. We also matched the business address ZIP code with the ZIP Code file (LandView IV) that was prepared by the Bureau of Census from the U.S. Postal Service City-State file (November, 1999). This file contains all 5-digit ZIP codes defined as of November 1, 1999, the state and

<sup>7</sup> Among 31,153 lawyers included in this analysis, 21,041 lawyers reported one jurisdiction, 5,665 two, 1,044 three, 437 four, and 382 five.

county FIPS codes and the Post Office names associated with them.<sup>8</sup> The ZIP code was matched to Census 2000 county information using the FIPS codes.

## II.2. Year of Bar Admittance

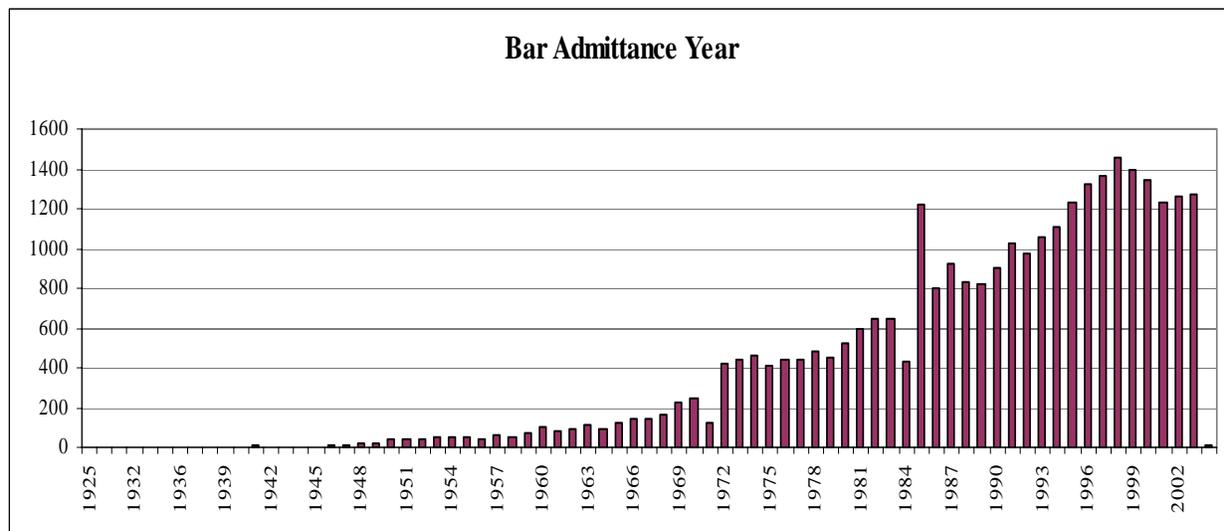
Among 31,153 lawyers, the number of lawyers who did not answer the question on bar admittance year was 929. The following table shows the average and median bar admittance year for the lawyers who answered the question. Lawyers with business address in Maryland tend to be older than certified Maryland lawyers whose business addresses are in other states. For example, the median year for bar admittance among the lawyers in Maryland is 1988, while the median for lawyers in Washington DC and Virginia is 1995.

*Table 4. Mean and Median Bar Admittance Year by States*

	Maryland	Washington DC	Virginia	Other States	Foreign Countries
Number	17947	7223	1874	3,050	87
Mean	1986.6	1992.9	1992.4	1990.7	1990.9
Median	<b>1988</b>	<b>1995</b>	<b>1995</b>	<b>1993</b>	1993

The following chart shows the distribution of lawyers by their bar admittance year as reported in the pro bono report.

*Chart 1. Number of Lawyers by Bar Admittance Year*



<sup>8</sup> For ZIP codes that cross county boundaries, the Post Office file assigns that ZIP code to just one of the counties rather than to each county

### II.3. Primary Practice Area

We reduced the number of practice areas to 20 for the Year 2003 report (from 53 last year). This was done to reduce the respondents' confusion over similar practice areas, ensure meaningful analysis, and simplify the online reporting form itself. The reduced options represented the top 20 practice areas reported in the Year 2002. Thus, the study results are not totally compatible with Year 2002 data, as many of the last year's practice areas overlap with each other.

As is the case for jurisdictional data, we entered up to five practice areas. Table 5 shows the primary practice areas among 29,087 lawyers, excluding 2,066 lawyers who did not provide the practice area information.

*Table 5. Primary Practice Area*

	First choice practice area		All selected practice areas	
	Number	Percent	Number	Percent
Litigation	3,925	13.5%	5,961	13.6%
Corporate/Business	3,206	11.0%	4,901	11.1%
Government	2,661	9.1%	3,256	7.4%
Other	2,605	9.0%	3,766	8.6%
Criminal	2,361	8.1%	3,217	7.3%
Real Estate	2,089	7.2%	3,005	6.8%
Family/Domestic	1,606	5.5%	2,551	5.8%
General Practice	1,564	5.4%	2,298	5.2%
Employment/Labor	1,225	4.2%	1,749	4.0%
Personal Injury	1,208	4.2%	2,238	5.1%
Trusts/Estates/Wills	1,094	3.8%	2,085	4.7%
Intellectual Property/Patents	1,006	3.5%	1,248	2.8%
Insurance	760	2.6%	1,307	3.0%
Taxation	706	2.4%	1,105	2.5%
Administrative Law	645	2.2%	1,328	3.0%
Bankruptcy/Commercial	643	2.2%	1,196	2.7%
Health	521	1.8%	760	1.7%
Banking/Finance	491	1.7%	924	2.1%
Environmental	391	1.3%	577	1.3%
Customs/Immigration	380	1.3%	513	1.2%
<b>Total</b>	<b>29,087</b>	<b>100.0%</b>	<b>43,985</b>	<b>100.0%</b>

Regardless of the order of choice, the top six practice areas remain the same. They are: Litigation, Corporate/Business, Government, Other, Criminal, and Real Estate.

We also note that the practice areas among lawyers with a business address in Maryland differ from those among lawyers with a business address in other states. Such practice areas as

‘Government’, ‘Other’, ‘Intellectual Property/Patents’, and ‘Employment/Labor’ ranked higher among lawyers in other states than lawyers in Maryland.

### III. PRO BONO SERVICE

In this section, we present results of our analyses of the Year 2003 Pro Bono Report on pro bono service, hours to improve the law and system, and financial contribution.

#### III.1. Pro Bono Service by Geographic Location

The total number of pro bono hours rendered in 2003 was 1,031,216 hours a 3.6 percent increase from Year 2002. As was the case last year, there are some lawyers with very high pro bono hours, many reporting to work pro bono full time. There were 104 lawyers who reported to have rendered 1,000 hours or more of pro bono service in 2003. Some of these lawyers work in legal service organizations, some are the designated pro bono coordinator in a large law firm, and some reported high pro bono hours simply because they felt that they are providing legal services at a much reduced rate than their peers. A simple mean can be a biased measure that can swing greatly by these large numbers. Accordingly, our effort is focused on presenting the study results in such a way that they can be meaningful.

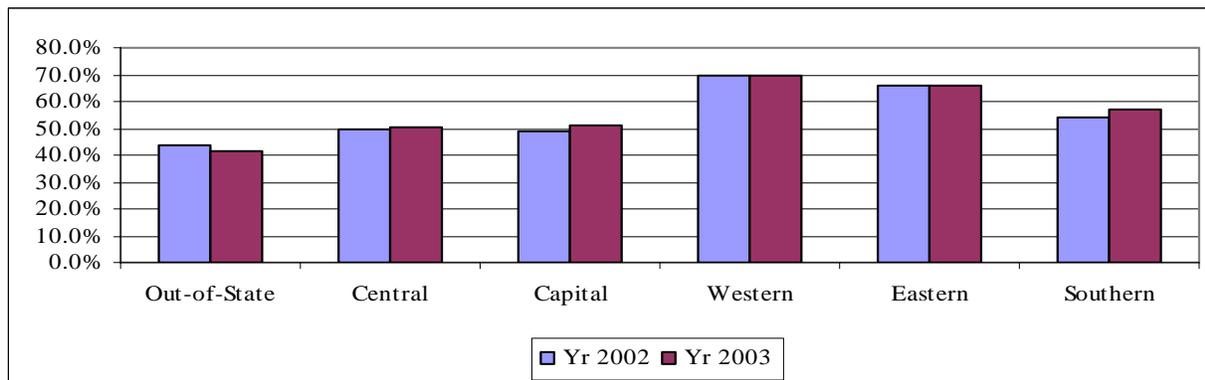
Among 31,153 lawyers, 47.4 percent (14,776 lawyers) reported some pro bono activity, a slight decrease of 0.4 percent from Year 2002. The decrease is primarily due to the lower pro bono activities among lawyers in other states who are certified to practice law in Maryland. As the following Table 6 indicates, pro bono activity among lawyers in other states who are certified to practice law in Maryland decreased by 1.9 percent from 2002 to 2003. This affected the overall percentage, while a higher proportion of lawyers located in Maryland provided pro bono services. Among 18,491 lawyers in the Maryland, 9,523 lawyers (51.5 percent) rendered pro bono hours greater than '0', compared with 5,253 (41.5 percent) among 12,662 lawyers in other states.

*Table 6. Changes in Lawyers with Pro Bono Activity*

	Yr 2002	Yr 2003	Change
All Reporting Lawyers	47.8%	47.4%	-0.4%
Lawyers in Maryland	50.4%	51.5%	1.1%
Lawyers in Other States	43.4%	41.5%	-1.9%

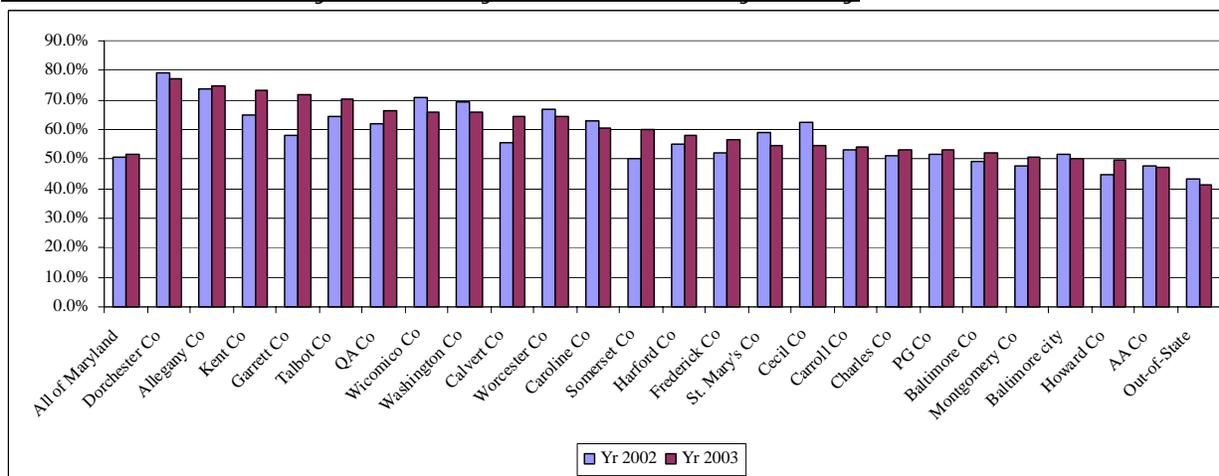
The proportion of lawyers who rendered pro bono service differs by geographical area. As noted earlier, proportion of lawyers who provided pro bono services improved over all regions in Maryland (see Chart 2 below). Higher proportions of lawyers in two opposite ends of Maryland – the Western and Eastern Regions – rendered pro bono services than lawyers in any other regions, as observed in Year 2002.

*Chart 2. Percent of Lawyers with Any Pro Bono Hours by Region*



We also looked at pro bono hours by county (Chart 3). Even though the proportion was lower this year than last year, lawyers in Dorchester County in the Eastern Region reported the highest percent (77.1 percent) of lawyers who rendered any pro bono hours, followed by Allegany County (74.7 percent). Anne Arundel County in the Central Region had the lowest percentage (47.1 percent). Howard County, which had the lowest percentage last year (44.8 percent), improved to 49.5 percent of lawyers doing pro bono work, followed by Baltimore City (50.0 percent). With the exception of the Anne Arundel county and Baltimore City, all the counties in metropolitan areas saw improved pro bono activities among their lawyers.

*Chart 3. Percent of Lawyers with Any Pro Bono Hours by County*



A target goal of 50 hours of pro bono service for lawyers in the full time practice of law was established pursuant to Rule 16-903. Accordingly, we looked into pro bono hours by full time and part time status. We defined the full time lawyers as those who are not prohibited from providing pro bono services (Question 5 in the Pro Bono Service Report), are not retired (Question 6), and do not practice law part time (Question 7). Among 31,153 lawyers, 21,104 were identified as a full time lawyer, answering “no” to all three questions.

The results (Table 7) show that 22.9 percent of all full time lawyers provided 50 or more hours of pro bono service during the year 2003 – an improvement of 0.6 percent from last year, but far from the target goal. The Eastern Region was the closest to the goal by having 36.8 percent of full time lawyers who provided 50 or more hours of pro bono services, followed by 32.6 percent in the Western Region. The lowest percentages of lawyers providing 50 or more pro bono service hours were found in other states and in the Central Region with 21.4 percent and 22.4 percent, respectively.

*Table 7. Pro Bono Hours of Full Time and Part Time Lawyers by Region*

		All Lawyers	Capital Region	Central Region	Eastern Region	Southern Region	Western Region	All of MD	Other States
<b>All Lawyers</b>	No pro bono hours	52.6%	48.6%	49.5%	34.2%	43.1%	30.2%	48.5%	58.5%
	Less than 50 hours	29.3%	31.8%	32.8%	37.4%	36.4%	41.9%	32.7%	24.2%
	50 or more hours	18.2%	19.6%	17.7%	28.3%	20.4%	27.8%	18.8%	17.3%
<b>Full Time Lawyers</b>	No pro bono hours	42.1%	35.2%	38.3%	18.3%	30.3%	20.9%	36.3%	49.9%
	Less than 50 hours	34.9%	39.2%	39.3%	44.9%	42.4%	46.5%	39.6%	28.7%
	50 or more hours	22.9%	25.6%	22.4%	36.8%	27.3%	32.6%	24.1%	21.4%
<b>Part Time Lawyers</b>	No pro bono hours	74.5%	72.3%	71.4%	62.4%	65.2%	59.0%	71.4%	80.0%
	Less than 50 hours	17.3%	18.6%	20.2%	24.3%	26.1%	27.9%	19.8%	13.0%
	50 or more hours	8.2%	9.1%	8.4%	13.3%	8.7%	13.1%	8.9%	7.0%

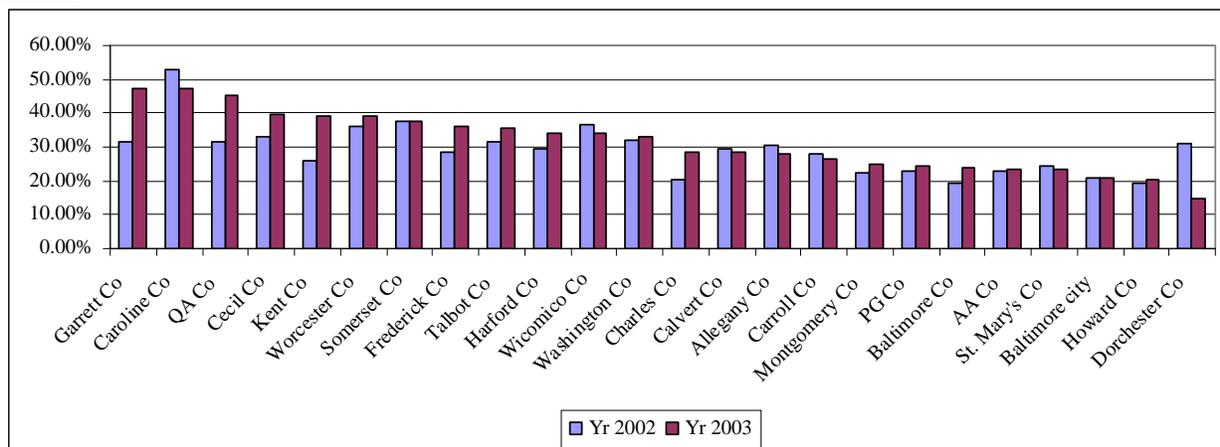
In order to see the trend over time, the following Table 8 shows the difference in the percentages from last year among lawyers who provided 50 or more hours of pro bono services. The best improvement came from lawyers in the Southern Region where an additional 3.5 percent of the full time lawyers provided 50 or more pro bono hours than in 2002, followed by lawyers in the Capital Region with 2.6 percent.

*Table 8. Pro Bono Hours of Full Time and Part Time Lawyers by Region – Change from 2002*

		All Lawyers	Capital Region	Central Region	Eastern Region	Southern Region	Western Region	All of MD	Other States
<b>All Lawyers</b>	50 or more hours	0.5%	1.7%	1.0%	3.0%	1.6%	2.2%	1.3%	-0.6%
<b>Full Time Lawyers</b>	50 or more hours	0.6%	2.6%	1.3%	2.3%	3.5%	1.3%	1.7%	-0.6%
<b>Part Time Lawyers</b>	50 or more hours	-0.2%	0.6%	0.0%	3.1%	-1.4%	3.6%	0.3%	-1.1%

We also ranked the Maryland counties by percentage of full time lawyers with 50 or more pro bono hours (Chart 4). Garrett County, which ranked ninth with 31.3 percent last year, ranked first in Year 2003 with 47.4 percent of full time lawyers with 50 or more pro bono hours – a 16.1 percent increase from last year. Last year’s best, Caroline County, ranked second with 47.1 percent of its lawyers rendering 50 or more pro bono hours, followed by Queen Anne, Cecil, Kent (the lowest ranked Eastern Region County at sixteenth last year), and Worcester Counties.

*Chart 4. Maryland Counties by Percentage of Full Time Lawyers with 50 or More Pro Bono Hours*



We note that Dorchester County, which ranked top in the percent of lawyers with any pro bono hours (see Chart 3 above), ranked bottom. This is due to the fact that participation in pro bono activity among all lawyers in Dorchester County was the highest, while full time lawyers in Dorchester County provided less hours of pro bono services than other counties. As was the case last year, the bottom of the list was populated with counties in the Capital and Central Regions. Howard County ranked second from the lowest with 20.3 percent of its full time lawyers reporting 50 or more pro bono hours, followed by Baltimore City (21.1 percent), St. Mary's (23.6 percent), Anne Arundel County (23.6 percent), Baltimore County (23.7 percent), Prince George's (24.6 percent), and Montgomery County (25.1 percent). However, these counties in the Capital and Central Regions consistently exhibited better results than last year, with the exception of Baltimore City, which remained about the same as last year.

The ranking of the counties in terms of full time lawyers with 50 or more pro bono hours fluctuated a lot from last year. This is primarily due to the fact that these counties have only a few dozen full time lawyers. For example, Somerset County is reported to have only 8 full time lawyers, followed by Caroline County (17 full time lawyers), Garrett (19), Dorchester (20), Kent (28), Queen Anne (33), Calvert (49), etc. In such counties with a small number of full time lawyers, any changes among a few lawyers can affect the percentage greatly and swing the ranking widely. Therefore, the ranking results need to be reviewed carefully.

The following Table 9 shows the same results in a tabular format in comparison to the 2002 results.

*Table 9. Maryland Counties by Percentage of Lawyers with 50 or More Pro Bono Hours*

2003 Rank	County	Number of FT lawyers	Yr 2003			Yr 2002			
			No pro bono hrs	Less than 50 hrs	50 hrs or more	2002 Rank	No pro bono hrs	Less than 50 hrs	50 hrs or more
1	Garrett	19	15.8%	36.8%	47.4%	9	18.8%	50.00%	31.30%
2	Caroline	17	23.5%	29.4%	47.1%	1	5.9%	41.20%	52.90%
3	QA	33	12.1%	42.4%	45.5%	8	25.7%	42.90%	31.40%
4	Cecil	53	34.0%	26.4%	39.6%	5	19.6%	47.10%	33.30%
5	Kent	28	10.7%	50.0%	39.3%	16	18.5%	55.60%	25.90%
6	Worcester	56	12.5%	48.2%	39.3%	4	15.5%	48.30%	36.20%
7	Somerset	8	12.5%	50.0%	37.5%	2	12.5%	50.00%	37.50%
8	Frederick	220	25.0%	39.1%	35.9%	14	26.1%	45.40%	28.40%
9	Talbot	70	12.9%	51.4%	35.7%	7	13.7%	54.80%	31.50%
10	Harford	207	21.3%	44.4%	34.3%	12	28.8%	41.60%	29.70%
11	Wicomico	114	22.8%	43.0%	34.2%	3	21.2%	42.30%	36.50%
12	Washington	100	24.0%	43.0%	33.0%	6	22.3%	45.70%	31.90%
13	Charles	94	34.0%	37.2%	28.7%	22	39.8%	39.80%	20.40%
14	Calvert	49	18.4%	53.1%	28.6%	13	27.8%	42.60%	29.60%
15	Allegany	68	17.6%	54.4%	27.9%	11	17.4%	52.20%	30.40%
16	Carroll	126	23.0%	50.8%	26.2%	15	32.6%	39.40%	28.00%
17	Montgomery	2,631	36.5%	38.4%	25.1%	20	40.8%	36.60%	22.60%
18	PG	1,066	34.1%	41.4%	24.6%	18	36.8%	40.30%	22.90%
19	Baltimore Co	1,750	33.1%	43.2%	23.7%	23	37.1%	43.40%	19.50%
20	AA	846	37.4%	39.0%	23.6%	19	39.0%	38.20%	22.90%
21	St. Mary's	55	34.5%	41.8%	23.6%	17	34.0%	41.50%	24.50%
22	Baltimore city	3,905	43.0%	35.9%	21.1%	21	41.0%	38.00%	21.00%
23	Howard	464	31.9%	47.8%	20.3%	24	41.6%	39.10%	19.30%
24	Dorchester	20	5.0%	80.0%	15.0%	10	0.0%	69.20%	30.80%

### III.2. Beneficiaries of Pro Bono Service

The pro bono report includes a series of questions regarding to whom (or to which organizations) the pro bono service was rendered (Question 1). The following is the list of possible responses to Question 1:

Q1.a. To people of limited means

Q1.b. To charitable, religious, civic, community, governmental, or educational organizations in matters designed primarily to address the needs of people of limited means

Q1.c. To individuals, groups, or organizations seeking to secure or protect civil rights, civil liberties, or public rights

Q1.d. To charitable, religious, civic, community, governmental, or educational organizations in matters in furtherance of their organizational purposes, when the payment of the standard legal fees would significantly deplete the organization’s economic resources or would otherwise be inappropriate

Table 10 shows the results from these questions. Overall, 50.2 percent of all reporting lawyers who rendered pro bono service hours did so to people of limited means (Q1.a); 14.5 percent to organizations helping people of limited means (Q1.b); 8.0 percent to entities on civil rights matters (Q1.c); and 27.3 percent to organizations such as a “non-profit” furthering their organizational purposes (Q1.d). In comparison to lawyers with out-of-state addresses, lawyers with business address in Maryland rendered a higher proportion of their pro bono service to people of limited means and a lower proportion to entities on civil rights matters. The distribution of the pro bono hours does not differ much from last year’s results – a slight increase to organizations helping people of limited means (Q1.b) and entities on civil rights matters (Q1.c), while a slight decrease to people of limited means (Q1.a).

*Table 10. Distribution of Pro Bono Services by Beneficiary Type*

	All Reporting Lawyers	Maryland Region					All of Maryland	Other States
		Capital	Central	Eastern	Southern	Western		
Q1.a	50.2%	55.2%	51.3%	52.2%	59.8%	56.0%	52.8%	45.3%
Q1.b	14.5%	14.4%	15.0%	14.7%	13.3%	15.1%	14.7%	14.1%
Q1.c	8.0%	6.5%	6.0%	3.6%	2.5%	4.6%	6.0%	11.7%
Q1.d	27.3%	23.9%	27.7%	29.5%	24.5%	24.2%	26.4%	28.9%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

The pro bono report also asked how many pro bono service hours were spent on cases that came from a pro bono or a legal services organization. Among all reporting lawyers, 33.6, 24.3, 28.3, and 10.9 percents of pro bono service hours rendered, respectively, for the four types of beneficiaries, were rendered to cases that came from a pro bono or a legal services organization (Table 11). For all pro bono service beneficiary types, these percentages are lower for lawyers with a business address in Maryland than those reported by lawyers in other states. This result suggests that lawyers with a business address in Maryland tend to get pro bono cases on their own, rather than through a pro bono or a legal services organization.

*Table 11.a. Proportion of Pro Bono Hours Spent on Cases from a Pro Bono or a Legal Services Organization*

	All Reporting Lawyers	Maryland Region					All of Maryland	Other States
		Capital	Central	Eastern	Southern	Western		
Q1.a	33.6%	28.5%	33.3%	25.6%	26.3%	27.8%	31.0%	39.1%
Q1.b	24.3%	22.2%	21.6%	14.3%	24.6%	19.7%	21.4%	30.1%
Q1.c	28.3%	25.2%	22.4%	15.3%	20.5%	11.1%	22.9%	34.4%
Q1.d	10.9%	9.3%	10.3%	7.4%	7.8%	7.9%	9.7%	13.1%

The results presented in Table 11.a. show a substantial difference when compared against 2002 data. The following Table 11.b. shows that lawyers in the Western Region reported a higher percentage of pro bono services in 2003 on cases that came from a pro bono or a legal services organization, while lawyers in Southern Region reported on the contrary.

*Table 11.b. Changes in Proportion of Pro Bono Hours Spent on Cases from a Pro Bono or a Legal Services Organization from Year 2002*

	All Reporting Lawyers	Maryland Region					All of Maryland	Other States
		Capital	Central	Eastern	Southern	Western		
Q1.a	0.3%	0.0%	0.6%	-3.7%	-7.0%	1.5%	0.0%	0.4%
Q1.b	1.0%	0.5%	-1.3%	3.0%	6.7%	6.0%	-0.1%	2.9%
Q1.c	1.6%	3.0%	-0.6%	-0.8%	-12.0%	3.0%	0.6%	2.0%
Q1.d	1.0%	1.1%	0.6%	2.5%	-5.8%	5.6%	0.8%	1.0%

### III.3. Practice Area and Pro Bono Service

We were interested in identifying the practice areas in which lawyers provide pro bono services in comparison to the most frequently practiced primary practice areas. Table 12 shows the top ten primary practice areas and pro bono service areas among all reporting lawyers. We note that the Family/Domestic practice area is the top pro bono service area, followed by Corporate/Business, Other, Real Estate, Litigation, and so on.

*Table 12. Comparison of Practice Areas*

Rank	Pro Bono Service Area	Primary Practice Area
1	Family/Domestic	Litigation
2	Corporate/Business	Corporate/Business
3	Other	Government
4	Real Estate	Other
5	Litigation	Criminal
6	Criminal	Real Estate
7	General Practice	Family/Domestic
8	Trusts/Estates/Wills	General Practice
9	Employment/Labor	Employment/Labor
10	Bankruptcy/Commercial	Personal Injury

We note that the percent of lawyers who provide pro bono services differ greatly by their practice area. Table 13 shows that 69.2 percent of Family/Domestic lawyers provided pro bono services, while only 22.7 percent among Government lawyers did so. The top five practice areas are: Family/Domestic, Trusts/Estates/Wills, General Practice, Bankruptcy/Commercial, and Customs/Immigration. The bottom practice areas, excluding unknown, are: Government, Other, Intellectual Property/Patents, Banking/Finance, and Administrative Law.

*Table 13. Percent of Lawyers who provide Pro Bono Service - by Practice Areas*

Practice Area	Number of Lawyers	Number of Lawyers with Greater Than '0' Pro Bono Hours	Percent of Lawyers Greater Than '0' Pro Bono Hours
Family/Domestic	1,606	1,112	69.2%
Trusts/Estates/Wills	1,094	746	68.2%
General Practice	1,564	1,024	65.5%
Bankruptcy/Commercial	643	407	63.3%
Customs/Immigration	380	239	62.9%
Litigation	3,925	2,448	62.4%
Personal Injury	1,208	702	58.1%
Real Estate	2,089	1,205	57.7%
Corporate/Business	3,206	1,687	52.6%
Employment/Labor	1,225	631	51.5%
Taxation	706	350	49.6%
Health	521	234	44.9%
Criminal	2,361	1,029	43.6%
Environmental	391	170	43.5%
Insurance	760	297	39.1%
Administrative Law	645	242	37.5%
Banking/Finance	491	178	36.3%
Intellectual Property/Patents	1,006	359	35.7%
Other	2,605	900	34.5%
Government	2,661	603	22.7%
Unknown	2,066	213	10.3%
<b>Total</b>	<b>31,153</b>	<b>14,776</b>	

In addition, we were specifically asked to analyze the pro bono activity of lawyers who practice Elder Law. Although Elder Law was not included in our practice area for Year 2003, it was one of the 53 practice areas for Year 2002 data – with 100 lawyers. By linking the 2002 data with the 2003 data, we were able to identify 98 Elder Law lawyers in the 2003 data. In Year 2002, 70.0 percent of Elder lawyers (69 lawyers) provided pro bono services – 50 percent in Elder Law, 14.5 percent in Family, and 10 percent in Trusts/Estate/Wills. In Year 2003, 72.4 percent (71 Lawyers) provided pro bono services: 32.4 percent in Other, 19.7 percent in Trusts/Estate/Wills, and 15.5 in Family/Domestic.

We were interested in who provided service in the top pro bono service areas. Table 14 shows the results. It shows that about 60 percent of “Family” pro bono service was provided by lawyers in three practice areas – Family/Domestic, Litigation, and General practice: 35.3 percent of “Family” pro bono service was provided by lawyers who practice “Family/Domestic”, 14.3 percent by lawyers who practice “Litigation”, and 10.3 percent by lawyers who practice

“General”. The table also shows that pro bono services in Litigation, Labor, and Criminal are provided predominantly by lawyers who listed these as their practice areas, while the other pro bono service areas are provided by lawyers in a broader practice area.

*Table 14. Pro Bono Service Areas and Practice Areas*

Primary practice area	Pro bono service area								
	Family	Business	Real Estate	Litigation	Criminal	General	Estates	Labor	Bankruptcy
Unknown	1.0%	2.1%	1.0%	0.4%	0.8%	1.2%	1.3%	0.8%	0.8%
Business	5.7%	38.1%	9.7%	5.9%	4.3%	9.0%	10.1%	8.2%	8.3%
Litigation	14.3%	10.1%	9.5%	66.7%	17.2%	15.4%	8.2%	13.6%	8.7%
Criminal	5.9%	2.4%	1.9%	2.1%	50.1%	5.5%	1.9%	1.5%	4.4%
Real Estate	2.5%	7.3%	51.2%	1.6%	2.1%	6.7%	6.0%	1.5%	3.7%
Government	3.4%	3.7%	3.1%	2.0%	1.7%	6.9%	3.4%	3.4%	2.7%
Family/Domestic	35.3%	1.8%	1.1%	0.9%	3.0%	1.8%	2.8%	0.3%	2.7%
General Practice	10.3%	5.1%	6.0%	3.5%	7.3%	21.6%	6.1%	3.8%	7.7%
Labor	1.7%	2.7%	0.8%	2.4%	1.0%	2.4%	1.8%	52.7%	0.4%
Trusts/Estates	2.6%	5.2%	2.1%	0.8%	0.5%	4.1%	43.1%	1.1%	2.3%
Personal Injury	4.3%	2.9%	1.8%	3.4%	5.1%	8.6%	4.9%	1.5%	5.6%
Taxation	0.7%	2.5%	1.2%	0.2%	0.2%	1.3%	1.7%	0.5%	0.8%
Insurance	1.5%	1.4%	0.8%	2.4%	1.7%	2.2%	1.0%	1.7%	1.3%
Banking	0.4%	2.0%	1.0%	0.9%	0.4%	1.7%	0.8%	1.1%	0.4%
Administrative	1.1%	1.2%	0.7%	1.0%	0.7%	1.5%	0.6%	1.1%	0.4%
Bankruptcy	1.7%	1.4%	1.4%	0.9%	0.4%	1.8%	0.4%	0.3%	44.5%
Intellectual Prop.	1.1%	2.1%	2.0%	1.3%	0.6%	2.1%	0.9%	0.5%	1.2%
Health	0.9%	2.3%	0.4%	0.7%	0.3%	1.0%	0.5%	0.8%	0.6%
Environmental	0.7%	1.0%	0.6%	0.3%	0.3%	0.5%	0.5%	0.6%	0.6%
Immigration	0.7%	0.5%	0.2%	0.1%	0.0%	0.0%	0.4%	0.5%	0.2%
Other	4.2%	4.2%	3.3%	2.6%	2.4%	4.7%	3.6%	4.7%	2.9%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

Another way of looking at the same issue can be what percentage of lawyers in a practice provide pro bono service in the same area. As shown in Table 15, 81.7 percent of lawyers who practice Family/Domestic provided pro bono services in the same area, followed by Customs/Immigration (80.6 percent), Taxation (59.6 percent), Bankruptcy/Commercial (59.5 percent), and Employment/Labor (57.4 percent). In comparison, only 11.0 percent of lawyers who practice Government provided pro bono services in Government, followed by Banking/Finance (14.1 percent), Insurance (14.8 percent), General (17.3 percent), and Personal Injury (19.6 percent).

*Table 15. Percentage of Lawyers in a Practice Area who provide Pro Bono Service in the same area – top 5 and bottom 5*

	Top 5		Bottom 5
Family/Domestic	81.7%	Government	11.0%
Customs/Immigration	80.6%	Banking/Finance	14.1%

Taxation	59.6%	Insurance	14.8%
Bankruptcy/Commercial	59.5%	General Practice	17.3%
Employment/Labor	57.4%	Personal Injury	19.6%

### III.4. Hours to Improve Law and Financial Contributions

A total of 7,049 lawyers spent 402,018 hours participating in activities for improving the law, the legal system, or the legal profession (Question 3) – a 1.1 percent decrease from Year 2002. The total financial contribution to organizations that provide legal services to people of limited means (Question 4) was \$ 3,812,263 – an increase of 72.7 percent from Year 2002 - from 4,972 contributing lawyers. However, we have to point out that this result on contribution needs to be interpreted carefully. The top five contributions were \$700,000 (Washington DC), \$500,000 (Washington DC), \$200,000 (Washington DC), \$115,000 (Maryland), and \$100,000 (Texas). The top five contributions totaled \$1,615,000 – more than 42 percent of the total contribution amount.

As we pointed out last year, some lawyers include their law firm’s contribution (which tends to be larger amounts) in answering the question on financial contribution. Some lawyers also noted in the pro bono report that the firm’s contribution is in part their own contribution since they are the partners of the firm. Although we tried not to include the firm’s contribution, we need to acknowledge that the large amount of contributions could in fact be attributable to firm contributions, especially as more lawyers filed online this year where we simply have to take the answers lawyers provide. These large numbers contributed by a few can become a cause for bias as they skew the distribution and impact the statistics. Accordingly, in the table below, we present the distribution of hours to improve the law and financial contributions in an effort to provide less biased results.

We note that a higher percentage of lawyers with a business address in Maryland devoted hours to improving the law, the legal system, or the legal profession than out-of-state lawyers. However, a smaller proportion of lawyers in Maryland, especially in Eastern and Southern Regions, offered financial support to organizations that provide legal services to people of limited means than lawyers in other states.

*Table 16. Distribution of Hours to Improve Law and Financial Contributions*

		<i>All reporting lawyers</i>	<b>Maryland Region</b>				<i>All of MD</i>	<i>Other States</i>	
			<b>Capital</b>	<b>Central</b>	<b>Eastern</b>	<b>South</b>			<b>West</b>
Percent of Lawyers with Hours to Improve Law (Q 3A)	All	22.6%	22.9%	24.5%	30.2%	29.7%	30.2%	24.2%	20.3%
	Full Time	27.8%	29.7%	30.3%	40.6%	35.4%	33.7%	30.5%	24.1%
	Part Time	11.8%	10.8%	13.0%	11.9%	20.0%	19.7%	12.3%	10.9%
Percent of Lawyers with Financial Contribution (Q4)	All	16.0%	12.1%	16.0%	5.4%	8.6%	15.7%	14.1%	18.6%
	Full Time	18.5%	13.3%	18.5%	6.5%	11.6%	17.6%	16.3%	21.5%
	Part Time	10.6%	9.9%	11.0%	3.5%	3.5%	9.8%	10.1%	11.5%

Number of Lawyers	All	31,153	6,125	11,011	625	313	248	18,491	12,662
	Full Time	21,104	3,917	7,298	399	198	187	12,075	9,029
	Part Time	10,049	2,208	3,713	226	115	61	6,416	3,633

We also note that the percentage of lawyers who offered financial contributions differ by their practice areas. As shown in Table 17, the top contributors are in: Environmental Law, Administrative Law, Health, Customs/Immigration, and Litigation. The bottom contributors, excluding the unknown, are in: Criminal, Insurance, General Family/Domestic, Real Estate lawyers.

*Table 17. Lawyers with Financial Contribution – by Practice Area*

Practice Area	Number of Lawyers	Number of Lawyers with Contribution	Percent of Lawyers with Contribution
Environmental	391	89	22.8%
Administrative Law	645	141	21.9%
Health	521	113	21.7%
Customs/Immigration	380	80	21.1%
Litigation	3,925	812	20.7%
Employment/Labor	1,225	238	19.4%
Corporate/Business	3,206	582	18.2%
Banking/Finance	491	89	18.1%
Other	2,605	470	18.0%
Intellectual Property/Patents	1,006	167	16.6%
Taxation	706	115	16.3%
Trusts/Estates/Wills	1,094	176	16.1%
Government	2,661	419	15.7%
Bankruptcy/Commercial	643	101	15.7%
Personal Injury	1,208	184	15.2%
Real Estate	2,089	317	15.2%
Family/Domestic	1,606	240	14.9%
General Practice	1,564	211	13.5%
Insurance	760	97	12.8%
Criminal	2,361	208	8.8%
Unknown	2,066	123	6.0%
<b>Total</b>	<b>31,153</b>	<b>4,972</b>	

#### IV. CHANGES IN PRO BONO HOURS

We now have two years of data on pro bono activity. In this report, we have tried to present results of the pro bono reporting in a way that permits us to see cross-sectional changes over time during the two year period. However, we think it is beneficial to look specifically at the longitudinal changes at the individual level by matching the 2003 data with the 2002 data. Among the 31,153 lawyers included in the Year 2003 data, we were able to match 28,943 lawyers with the Year 2002 data (93 percent). The unmatchables (2,210 lawyers) include first time pro bono report filer. This may be attributable to many factors, including late filing for 2002, new admittees to the Bar, retirement, or a change in status (e.g., those who became judges, law clerks, inactive, etc.). Only 28.8 percent of the unmatchables reported pro bono hours greater than '0' and only 9.6 percent of them reported 50 or more pro bono hours.

Among the 28,943 lawyers who filed the pro bono report for both 2002 and 2003, 48.9 percent reported greater than '0' pro bono hours and the pro bono hours increased by 24,992 hours overall. Among those who reported to be a full time lawyer, 58.9 percent reported greater than '0' pro bono hours and the pro bono hours increased by 36,283 hours. However, among those who reported to be a part time lawyer, the pro bono hours decreased by 11,291 hours. Table 18 shows the breakdown of lawyers in terms of how their pro bono hours changed from 2002 to 2003. It shows that proportionately more part time lawyers decreased their pro bono hours (-2.5 percent), while proportionately more full time lawyers increased their pro bono hours (+5.0 percent).

*Table 18. Distribution of Lawyers by their Changes in Pro Bono Hours*

	Decreased pro bono hrs.	Unchanged pro bono hrs.	Increased pro bono hrs.	'0' pro bono hr for both years	Total
Part Time	1,649 (18.3%)	139 (1.5%)	1,424 (15.8%)	5,795 (64.3%)	9,007
Full Time	5,761 (28.9%)	731 (3.7%)	6,763 (33.9%)	6,681 (33.5%)	19,936
Total	7,410 (25.6%)	870 (3.0%)	8,187 (28.3%)	12,476 (43.1%)	28,943

In Table 19, the percentages indicate the difference between the percent of lawyers who increased their pro bono hours and the percent of lawyers who decreased. The positive percentages indicate more lawyers increased their pro bono hours and the negative percentages indicate more lawyers decreased their pro bono hours from Year 2002 to Year 2003.

*Table 19. Changes in Pro Bono Hours by Geographical Location*

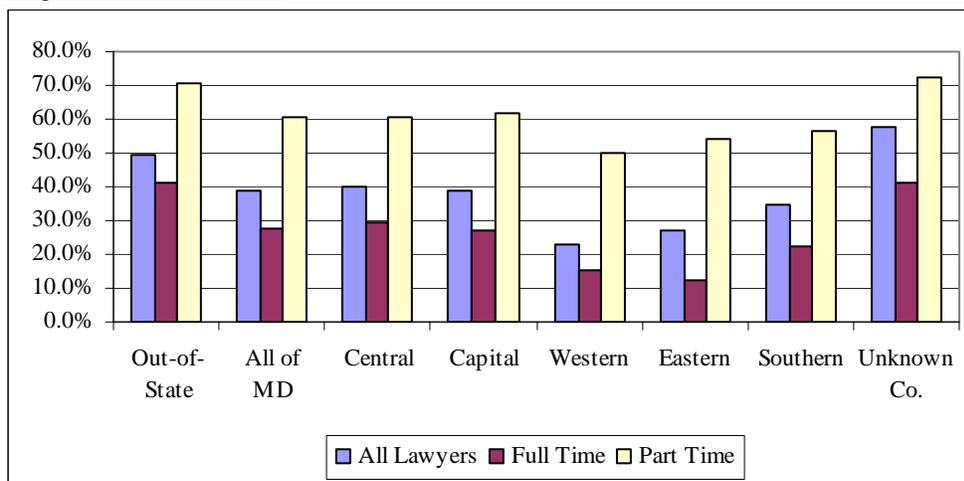
Region	All	Full Time Only	Part Time Only
Out-of-State	0.8%	2.7%	-4.2%
Central	3.9%	6.4%	-1.2%
Capital	4.0%	7.3%	-2.1%
Western	12.2%	14.8%	3.7%
Eastern	-1.3%	0.3%	-4.3%
Southern	10.9%	17.8%	-0.9%

Unknown Co.                      -4.2%                      -4.4%                      -3.9%

In Western Region, the percent of lawyers who increased their pro bono hours was 12.2 percent higher than the percent of lawyers who decreased, followed by Southern Region. More full time lawyers increased their pro bono hours all across the region, topped by Southern Region. However, more part time lawyers decreased their pro bono hours across the region with the exception of Western Region.

Chart 5 shows percentage of lawyers who reported ‘0’ pro bono hours by their geographical location and by their full time/part time status. It shows that 70.7 percent of part time lawyers in other states reported ‘0’ pro bono hours for both years, while only 12.3 percent of full time lawyers in Eastern Region reported ‘0’ for both years.

*Chart 5. Percent of Lawyers with ‘0’ Pro Bono Hours for both Years by Geographical Location & by Full Time Status*

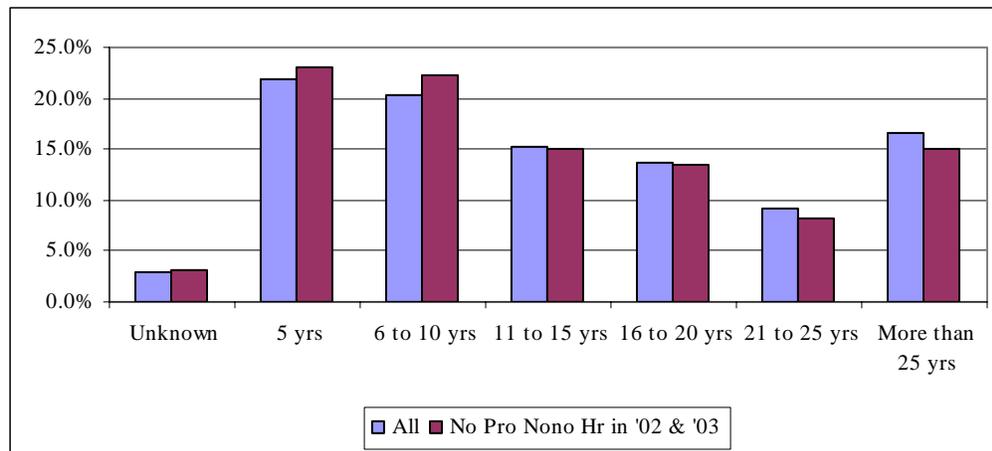


We also looked at practice areas among lawyers who increased or decreased their pro bono hours. Whether increased or decreased, however, the practice areas did not differ from the overall distribution of the practice area with the exception of the lawyers who reported ‘0’ pro bono hours for both years.

Among 28,943 lawyers included in our longitudinal analysis, 43.1% (12,476) reported “0” pro bono hours in both 2002 and 2003. This group represents a challenge in accomplishing a higher pro bono activity. Accordingly, we need to have a better understanding about this group of lawyers. For the rest of this section, we will present further analysis on this group.

This group of lawyers tends to have less years of experience as a lawyer. The following chart shows the distribution of lawyers who reported “0” pro bono hours in 2002 and 2003 by the number of years from their Bar Admittance Year in comparison to the all lawyers.

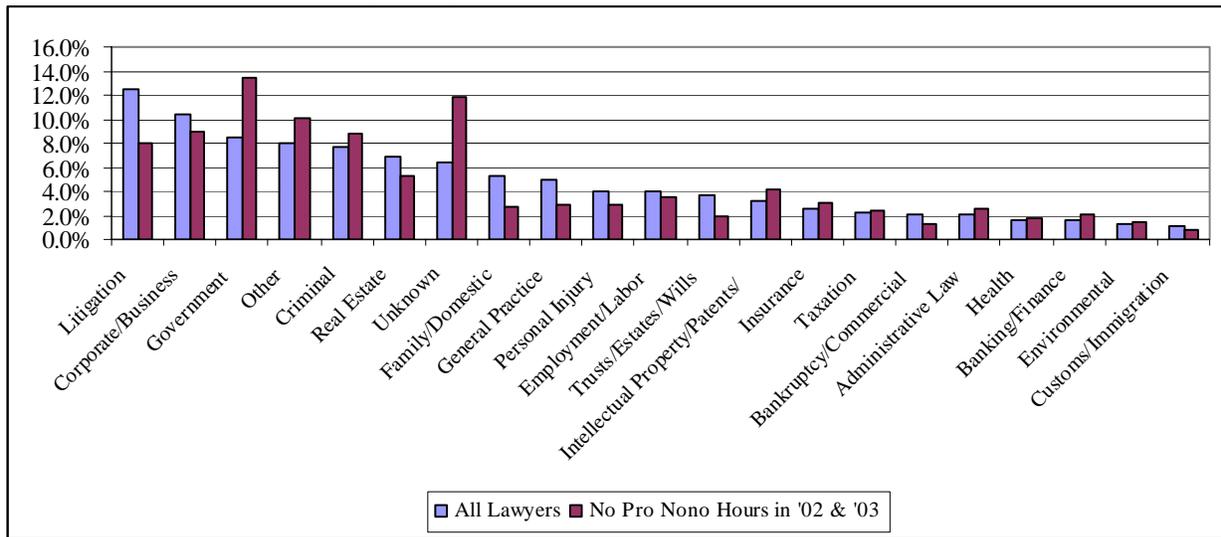
*Chart 6. Distribution of Lawyers by Number of Years from Bar Admittance Year*



In terms of the total hours participating in activities for improving the law, the legal system, or the legal profession (Question 3) and the total financial contribution to organizations that provide legal services to people of limited means (Question 4), these lawyers provided many fewer hours to improving the law and made lower financial contributions.

Chart 7 shows the two different distributions of lawyers – distribution of practice areas among those who reported ‘0’ for both years compared to those of all lawyers. For example, Government lawyers constituted 8.4% of all lawyers – while they were 13.4% of the lawyers who reported “0” pro bono hours in 2002 and 2003. In comparison, Litigation lawyers constituted 12.4% of all lawyers, while only 8% of no pro bono lawyers, and family 5.3% and 2.6%, respectively.

Chart 7. Distribution of Lawyers by Practice Areas



## V. CONCLUSION

This report provides an objective analysis of information provided by licensed Maryland attorneys reporting on their pro bono activities during 2003. Slightly less than half of all lawyers reported some pro bono activity, at a 0.4 percent decrease from that reported in 2002. This overall decrease is due to a decline in pro bono activities among lawyers in other states who are certified to practice law in Maryland, among first time pro bono report filers, and among part time lawyers. In contrast, pro bono activities improved among full time lawyers and among lawyers practicing in Maryland. A higher proportion of full time lawyers reported 50 or more pro bono hours in 2003 compared to 2002.

There are several caveats to keep in mind in interpreting the results. The magnitude of lawyers who moved out of Maryland is substantial: 1,777 lawyers (more than 6 percent of all lawyers) moved out of Maryland between 2002 and 2003; 1,293 of them moving from Maryland to Washington DC. Although we can not provide numbers conclusively, it is likely that there has been a substantial increase in the number of lawyers with a government agency in 2003. It is evidenced by the fact that 2,662 lawyers indicated Government as their primary practice area: an increase of 78 percent from 1,494 last year. In 2003, Government ranked as the 3<sup>rd</sup> top practice area while it was 5<sup>th</sup> last year. Among those 1,777 lawyers who moved out of Maryland, 18.9 percent chose Government as their primary practice area in 2003, compared to 8.8 percent last year (note that government lawyers can choose a primary practice area other than Government by selecting the area that best corresponds to their applicable expertise area).

We learned that many government lawyers are prohibited from providing pro bono services. Had there been no such substantial move, it is possible that the pro bono activity could have shown more of an improvement. We need to find out if this level of mobility among lawyers is normal or not by analyzing several years of data. As the years progress, this data will be used to construct a comprehensive longitudinal panel data file. The longitudinal data file will be able to provide concrete answers to many questions, showing changes in pro bono activity among lawyers certified to practice in Maryland and the impact of the new pro bono rules.

We also learned that lawyers with no pro bono activity tend to be young and practice in areas such as Government, Other, Criminal, and Intellectual Property. One strategy of promoting pro bono activities among these lawyers is to target these lawyers by letting them know that they can provide pro bono services in other areas and that there are other means of helping people, for example, by providing financial contributions to organizations that serve individuals of limited means. The data file will serve as a valuable analytical tool to assist the Judiciary in determining how far or close the Maryland Bar is in meeting the aspirational pro bono service goals outlined in the Rules.